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14 July 2006

EPO - Munich
72
17. Juli 2006

NOTE The numbered sections 1-14
of this letter closely correspond to
those of EPO Form 1200.1 (12.03)

Dear Sirs

Initiation of Regional Processing of PCT/JP2005/000067
European Patent Application: 05 703 335.9
Applicant: Mitsui Chemicals Polyurethanes, Inc. (new name)
Our Ref: WJW/FP6387914

1) APPLICANT(S):

- ☒ Indications concerning the applicant(s) are contained in the international publication or have been recorded by the International Bureau after the international publication.
See the attached "Letter Regarding Change of Applicant's Name and Change of Inventors' Addresses".
- ☐ Changes which have not yet been recorded by the International Bureau are set out on an additional sheet.

2) REPRESENTATIVE TO BE LISTED IN THE REGISTER

WILHELMUS J WYTENBURG

at:

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AUTHORISED REPRESENTATIVES

The following, who are on the EPO's list of professional representatives, are authorised:

| | | |
|------------------------|---------------------|------------------------|
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| Adrian H. Brasnett | Nigel J. Hackney | Hugh C.E. Paget |
| Karen A. J. Bufton | Susan J. Harrison | Catherine P. Sampson |
| T. Roger Calderbank | Stephen J. Hodsdon | G. Patrick Stoner |
| Stephen Carter | Richard A. Johnson | Ian A. Stuart |
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| Raymond Coleiro | Hilary M. King | Rebecca M. Tollervey |
| Joanna E. Cripps | Simon M. Kremer | Seán M. Walton |
| Christopher M. Denison | June M. Lyons | Robert J. Watson |
| Andrew S Fearnside | Matthew J. Naylor | Jeremy M. Webster |
| Graham R. Forrest | Kathryn M. Nicholls | Wilhelmus J. Wytenburg |

all at:

MEWBURN ELLIS LLP, York House, 23 Kingsway, London, WC2B 6HP, GB.

3) **AUTHORISATION** *[Not normally needed]*

- ☐ Individual authorisation is attached.
- ☐ General authorisation has been registered under No:
- ☐ A general authorisation has been filed, but not yet registered.
- ☐ The authorisation filed with the EPO as PCT Receiving Office expressly includes the European phase.

4) **REQUEST FOR EXAMINATION**

Examination of the application under EPC Article 94 is hereby requested.

(BG) Ла се извърши експертиза на заявката съгласно чл. 94.

(CZ) Žádá se o průzkum přihlášky podle článku 94.

(DK) Hermed begæres prøvning af ansøgningen i henhold til Art. 94.

(EE) Taotlusele palutakse teha artikli 94 kohane ekspertiis.

(ES) Se solicita el examen de la solicitud según el artículo 94.

(FI) Täten pyydetään hakemuksen tutkimista artiklan 94 mukaisesti.

(GR) Simfona me tis diataxis tou arthrou 94 zitite i exetasis tis etiseos.

(HU) Kérem az európai szabadalom megadását és a bejelentés 94. cikk szerinti vizsgálatát.

(IE) Iarrtar leis seo scrúdú an iarratais de bhun Airteagal 94.

(IS) Hér með er farið fram á veitingu evrópsks einkaleyfis og rannsókn á einkaleyfishæfi umsóknarinnar skv. 94. grein.

(IT) Si richiede di esaminare la domanda ai sensi dell'art. 94.

(LT) Prašoma atlikti paraiškos ekspertizę pagal 94 straipsnį.

(LU) Et gët heimat Préifung vun der Umeldung nom Art. 94 ugefrot.

(LV) Ar šo tiek lūgts veikt ekspertīzi saskaņā ar EPK 94.pantu.

(NL) Verzocht wordt om onderzoek van de aanvraag als bedoeld in Art. 94.

(PL) Niniejszym wnosi się o badanie zgłoszenia na podstawie art. 94.

(PT) Solicita-se o exame do pedido segundo o artigo 94º.

(RO) Se solicită examinarea cererii în sensul art. 94. (RO)

(SE) Härmed begärs prövning av patentansökan enligt art. 94.

(SI) Zahteva se preizkus prijave po 94.členu EPC.

(SK) Podľa článku 94 sa žiada o prieskum prihlášky.

(TR) Başvurunun 94. Madde'ye göre incelenmesi istenmektedir.

- ☐ An applicant has a residence or principal place of business in, or is a national of, an EPC state having an official language other than English, French or German (and so the examination fee is reduced by 20%) (Rule 6(3) EPC; Art. 12(1) RRFees).

5) COPIES

- ☒ Additional copy (copies) of the documents cited in the Supplementary European Search Report is (are) requested. Number of **additional** sets of copies: 1.

6) DOCUMENTS INTENDED FOR PROCEEDINGS BEFORE THE EPO

- ☒ (i) Proceedings before the EPO are to be based on the application documents published by the International Bureau (with all claims, description and drawings), **AND:**

Article 19 (Chapter I) Amendments (tick one):

- ☒ (a) Please **disregard** any Article 19 PCT (Chapter I) amendments that were filed. *[Either there were no Article 19 PCT amendments, or there were Article 19 PCT amendments but you wish to disregard them.]*
- ☐ (b) Please **take account of** any Article 19 PCT (Chapter I) amendments that were filed (to the extent that they are not superseded by additional amendments). (It is not necessary to provide copies of Article 19 PCT (Chapter I) amendments.)

[If still further amended claims are to form part of the basis of proceedings before the EPO, then it may be simplest to:

- *cross the box in Section 6(i)(a); and*
- *cross the box in Section 6(i)(e);*
- *file a fresh complete set of amended claims.]*

Article 34 (Chapter II) Amendments (tick one):

- ☒ (c) Please **disregard** any Article 34 PCT (Chapter II) amendments that were filed. *[Either there were no Article 34 PCT amendments, or there were Article 34 PCT amendments but you wish to disregard them.]*
- ☐ (d) Please **take account of** any Article 34 PCT (Chapter II) amendments that were filed (to the extent that they are not superseded by additional amendments).

Copies of the Article 34 PCT (Chapter II) amendments (annex(es) to the International Preliminary Examination Report) are filed herewith (to the extent that they are not superseded by additional amendments).

[If still further amended claims are to form part of the basis of proceedings before the EPO, then it may be simplest to:

- *cross the box in Section 6(i)(c); and*
- *cross the box in Section 6(i)(e);*
- *file a fresh complete set of amended claims.]*

(Additional) Amendments (tick if applicable):

- ☒ (e) (Additional) Amendments are filed now.

OR:

- ☐ (ii) Proceedings before the EPO are to be based on the documents as set out on an additional sheet.

Test Reports

- ☒ If the EPO as International Preliminary Examining Authority has received test reports, these may be used as the basis of proceedings before the EPO.

7) TRANSLATIONS

Translations in one of the official languages of the EPO (English, French, German) are enclosed as crossed below:

- ☒ (a) Translation of:
(1) the international application (description, claims, any text in drawings) as originally filed;
[this includes the sequence listing if it was filed with the original application];
(2) the abstract (i) as filed or (ii) as published; and
(3) any indication under Rules 13^{bis}.3 and 13^{bis}.4 PCT regarding biological material.

[This is required in ALL cases where the PCT application was published in a language other than English, French, or German.]
- ☐ (b) In addition, translation of:
(1) amended claims filed under Art. 19 PCT (Chapter I); and
(2) any statement filed under Art. 19 PCT (Chapter I).

[If any part of the Article 19 PCT amended claims are to form part of the basis of proceedings before the EPO (i.e., the box in Section 6(i)(b) is crossed), then you must file a complete translation of each of (b)(1) and (b)(2) above.]

[If still further amended claims are to form (part of) the basis of proceedings before the EPO, then it may be simplest to:
 - NOT file a translation of (b)(1) and (b)(2) above;
 - cross the box in Section 6(i)(a);
 - file a fresh complete set of claims in the correct language; and
 - cross the box in Section 6(i)(e).]
- ☐ (c) In addition, translation of:
(1) amendments filed under Art. 34 PCT (Chapter II) (any annexes to the International Preliminary Examination Report).

[If any part of the Article 34 PCT amended claims are to form part of the basis of proceedings before the EPO (i.e., the box in Section 6(i)(d) is crossed), then you must file a complete translation of each of (c)(1) above.]

[If still further amended claims are to form (part of) the basis of proceedings before the EPO, then it may be simplest to:
 - NOT file a translation of (c)(1) above;
 - cross the box in Section 6(i)(c);
 - file a fresh complete set of claims in the correct language; and
 - cross the box in Section 6(i)(e).]
- ☐ (d) Translation of the priority application(s).
- ☐ (e) It is hereby declared that the international application as originally filed is a complete translation of the previous application (Rule 38(5) EPC).
- ☐ (f) It is hereby declared that the international application as originally filed is identical to the previous application. If a translation (a) is filed herewith, it is thus a complete translation of the previous application (Rule 38(5) EPC).

8) BIOLOGICAL MATERIAL

- ☐ The invention relates to and/or uses biological material deposited under Rule 28 EPC.
- ☐ The particulars referred to in Rule 28(1)(c) EPC (if not yet known, the depository institution and the identification reference(s) [number, symbols etc.] of the depositor) are given in the international publication, or in the translation submitted under Section 7 on page(s)/line(s): _____.

The receipt(s) of deposit issued by the depository institution:

- ☐ is/are enclosed.
- ☐ will be filed at a later date.
- ☐ Waiver of the right to an undertaking from the requester pursuant to Rule 28(3) EPC is attached.

9) NUCLEOTIDE AND AMINO ACID SEQUENCES

- ☐ The application contains at least one sequence or part of a sequence of at least ten nucleotides or at least four amino acids.
- ☐ The items necessary in accordance with Rules 5.2 and 13^{ter} PCT and Rule 111(3) EPC have already been furnished to the EPO.
[This will generally be the case if the EPO was the International Searching Authority.]
- ☐ The written sequence listing is furnished herewith in an official language of the EPO.
 - ☐ The sequence listing does not include matter which goes beyond the content of the application as filed.
- ☐ The prescribed data carrier is enclosed.
 - ☐ The information recorded on the data carrier is identical to the written sequence listing.

10) DESIGNATION FEES

(i) "All States"

- ☒ It is currently intended to pay **seven times** the amount of the designation fee. The designation fees for all EPC contracting states designated in the international application are thereby deemed to have been paid (Art. 2 No. 3 RRFees).

(ii) "6 or less States"

- ☐ The declaration under 10(i) does not apply. Instead, it is currently intended to pay **fewer than seven** designation fees for the following EPC contracting states designated in the international application:

| | | | |
|--------------------------------|---------------------------|-----------------------------|---------------------|
| <input type="checkbox"/> AT | Austria | <input type="checkbox"/> IE | Ireland |
| <input type="checkbox"/> BE | Belgium | <input type="checkbox"/> IS | Iceland (6) |
| <input type="checkbox"/> BG | Bulgaria (1) | <input type="checkbox"/> IT | Italy |
| <input type="checkbox"/> CH/LI | Switzerland/Liechtenstein | <input type="checkbox"/> LT | Lithuania (7) |
| <input type="checkbox"/> CY | Cyprus | <input type="checkbox"/> LU | Luxembourg |
| <input type="checkbox"/> CZ | Czech Republic (1) | <input type="checkbox"/> LV | Latvia (8) |
| <input type="checkbox"/> DE | Germany | <input type="checkbox"/> MC | Monaco |
| <input type="checkbox"/> DK | Denmark | <input type="checkbox"/> NL | Netherlands |
| <input type="checkbox"/> EE | Estonia (1) | <input type="checkbox"/> PL | Poland (5) |
| <input type="checkbox"/> ES | Spain | <input type="checkbox"/> PT | Portugal |
| <input type="checkbox"/> FI | Finland | <input type="checkbox"/> RO | Romania (4) |
| <input type="checkbox"/> FR | France | <input type="checkbox"/> SE | Sweden |
| <input type="checkbox"/> GB | United Kingdom | <input type="checkbox"/> SI | Slovenia (2) |
| <input type="checkbox"/> GR | Greece | <input type="checkbox"/> SK | Slovak Republic (1) |
| <input type="checkbox"/> HU | Hungary (3) | <input type="checkbox"/> TR | Turkey |

- (1) Only available for PCT applications filed on or after 01 July 2002.
 (2) Only available for PCT applications filed on or after 01 December 2002.
 (3) Only available for PCT applications filed on or after 01 January 2003.
 (4) Only available for PCT applications filed on or after 01 March 2003.
 (5) Only available for PCT applications filed on or after 01 March 2004.
 (6) Only available for PCT applications filed on or after 01 November 2004.
 (7) Only available for PCT applications filed on or after 01 December 2004.
 (8) Only available for PCT applications filed on or after 01 July 2005.

☒ If this box is crossed, then: if contracting states are indicated under 10(ii), it is requested that no communication under Rule 108(3) EPC be issued for contracting states not thus indicated.

[If this box is **not** crossed, and if contracting states are indicated under 10(ii), then: it is requested that a communication under Rule 108(3) EPC be issued for contracting states not indicated under 10(ii).]

(iii) [Automatic debit order: NOT APPLICABLE]

11) **EXTENSION OF THE EUROPEAN PATENT**

This application is also considered as being a request for extension to all the non-Contracting States to the EPC designated in the international application with which "extension agreements" were in force on the date of filing the international application. However, the extension only takes effect if the prescribed extension fee is paid.

It is currently intended to pay the extension fee for the States marked with a cross below:

- | | | | |
|--------------------------|----|-------------------------|--|
| <input type="checkbox"/> | SI | Slovenia | (for PCT applications filed 01.03.1994 - 30.11.2002) |
| <input type="checkbox"/> | RO | Romania | (for PCT applications filed 15.10.1996 - 28.02.2003) |
| <input type="checkbox"/> | LT | Lithuania | (for PCT applications filed 05.07.1994 - 30.11.2004) |
| <input type="checkbox"/> | LV | Latvia | (for PCT applications filed 01.05.1995 - 30.06.2005) |
| <input type="checkbox"/> | AL | Albania | (for PCT applications filed on or after 01.02.1996) |
| <input type="checkbox"/> | MK | Macedonia | (for PCT applications filed on or after 01.11.1997) |
| <input type="checkbox"/> | HR | Croatia | (for PCT applications filed on or after 01.04.2004) |
| <input type="checkbox"/> | YU | Serbia & Montenegro | (for PCT applications filed on or after 01.11.2004) |
| <input type="checkbox"/> | BA | Bosnia & Herzegovina | (for PCT applications filed on or after 01.12.2004) |

12) **[Automatic debit order: NOT APPLICABLE]**

13) **Any reimbursement is to be made to EPO deposit account no. 2805.0013 (Mewburn Ellis LLP).**

REQUEST FOR EARLY ENTRY

- ☐ If this box is crossed, then the applicant requests, under Articles 23(2) and 40(2) PCT, that the EPO, as designated/elected office, begin processing and examination of this application immediately.

FEES


- ☒ The requisite fees payable with respect to initiation of the regional processing of this application are paid separately.
- ☐ The requisite fees payable with respect to initiation of the regional processing of this application have been paid **by facsimile** to the European Patent Office Cash & Accounts Department in Munich via deposit account and a **copy of our letter is attached**.

PRECAUTIONARY STATEMENTS

In this application, unless expressly stated otherwise, the cancellation, abandonment or amendment of any claim or any amendment of the description does not amount to abandonment of any subject matter in the application, and the applicant reserves the right to pursue some or all of such subject matter in this application, or in one or more divisional applications. Additionally, the applicant reserves the right to file divisional applications in respect of any subject matter in the application as filed.

As a matter of precaution I request oral proceedings in the event that the Examining Division forms an intention to refuse the application.

14) Signature: _____ at London, GB


Wilhelmus J Wytenburg
Authorised Representative
MEWBURN ELLIS LLP

- Encs: ☒ Translation of international application (see Section 7(a)).
Description – Pages 1-52 (52 pages).
Claims – Pages 53-57 (5 pages).
Abstract – Page 58 (1 page).
Figure 1 (1 page).
- ☐ Translation of Art. 19 PCT amendments and any statement (see Section 7(b)).
- ☐ Translation of Art. 34 PCT amendments (annex(es) to IPER) (see Section 7(c)).
- ☐ Translation of priority document(s) (See Section 7(d)).
- ☒ Amended pages (see Section 6):
Pages 53-55 of the claims (claims 1-12) (3 pages).
- ☒ Other: "Guide to the Amended Claims filed July 2006" (3 pages).
- ☒ Other: Letter Regarding "Withdrawal of Priority Claim" (1 page).
- ☒ Other: Letter Regarding "Change of Applicant's Name and Change of Inventors' Addresses" (2 pages) with attachments (7 pages).

Mewburn Ellis

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14 July 2006

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Jeremy Webster
Rachel White
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Consultant
David Harrison

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WITHDRAWAL OF PRIORITY CLAIM

Dear Sirs

Initiation of Regional Processing of PCT/JP2005/000067
European Patent Application: 05 703 335.9
Applicant: Mitsui Chemicals Polyurethanes, Inc. (new name)
Our Ref: WJW/FP6387914

This letter accompanies our Form 1200 letter.

The underlying international (PCT) patent application claims priority benefit of TWO earlier patent applications:

- (1) JP 2004-001132 filed 06 January 2004.
- (2) USSN 60/616,410 filed 07 October 2004.

In regard to this corresponding European Regional Phase patent application, the applicant unconditionally withdraws the claim to priority benefit of the second application, specifically:

- (2) USSN 60/616,410 filed 07 October 2004.

In regard to this corresponding European Regional Phase patent application, the applicant wishes to maintain the claim to priority benefit of the first application, specifically:

- (1) JP 2004-001132 filed 06 January 2004.

Yours faithfully



Wilhelmus J Wytenburg
AUTHORISED REPRESENTATIVE
MEWBURN ELLIS LLP

WJW/wjw

European Patent Office
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14 July 2006

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*not CPA or EPA

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Rachel White
Lindsay Woolley
Consultant
David Harrison

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LETTER REGARDING **CHANGE OF APPLICANT'S NAME** **AND** **CHANGE OF INVENTORS' ADDRESSES**

Dear Sirs

Initiation of Regional Processing of PCT/JP2005/000067
European Patent Application: 05 703 335.9
Applicant: Mitsui Chemicals Polyurethanes, Inc. (new name)
Our Ref: WJW/FP6387914

This letter accompanies our Form 1200 letter.

The applicant has changed its name.
The inventors have changed their addresses.

Requests to record the changes were filed with International Bureau during the international phase. The International Bureau subsequently issued the corresponding notices recording the changes. For convenience, copies of both the requests and the notices are enclosed (7 pages total).

The changes are summarised below.

1. The applicant's OLD name was: Mitsui Takeda Chemicals, Inc.
The applicant's NEW name is: Mitsui Chemicals Polyurethanes, Inc.

The NEW complete name and address are:


Mitsui Chemicals Polyurethanes, Inc.
5-2, Higashi-Shimbashi 1-chome
Minato-ku
Tokyo 105-7117
JAPAN

2. The NEW address for EACH of the inventors is:

c/o Mitsui Chemicals Polyurethanes, Inc.
580-32, Nagaura
Sodegaura-shi
Chiba 299-0265
JAPAN

Please enter the changes, and update the EP Register as appropriate.

Yours faithfully



Wilhelmus J Wytenburg
AUTHORISED REPRESENTATIVE
MEWBURN ELLIS LLP

Encs.

WJW/wjw

NOTIFICATION OF CHANGE OF NAME

To: INTERNATIONAL BUREAU OF WIPO

1. Identification of the International Application

PCT/JP2005/000067

(SF-1106)

2. Applicant

Name: MITSUI CHEMICALS POLYURETHANES, INC.

Address: 5-2, Higashi-Shimbashi 1-chome, Minato-ku, Tokyo 1057117, Japan

Country of nationality: JAPAN

Country of residence: JAPAN

3. Person Changing Name

Relationship to the International Application: Applicant for all designated states except US

Former name: MITSUI TAKEDA CHEMICALS, INC.

New Name: MITSUI CHEMICALS POLYURETHANES, INC.

Address: 5-2, Higashi-Shimbashi 1-chome, Minato-ku, Tokyo 1057117, Japan

Country of nationality: JAPAN

Country of residence: JAPAN

4. Agent (Common Representative)

Name: (8199) SUZUKI Shunichiro Signature  (seal) 

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13-6, Nishigotanda 7-chome, Shinagawa-ku, Tokyo 1410031 Japan

NOTIFICATION OF CHANGE OF ADDRESS

To: INTERNATIONAL BUREAU OF WIPO

1. Identification of the International Application

PCT/JP2005/000067

(SF-1106)

2. Applicant

Name: MITSUI CHEMICALS POLYURETHANES, INC.

Address: 5-2, Higashi-Shimbashi 1-chome, Minato-ku, Tokyo 1057117, Japan

Country of nationality: JAPAN

Country of residence: JAPAN

3. Persons Changing Address

Relationship to the International Application: Applicant for US only and Inventor
for all designated states

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Nagaura, Sodegaura-shi, Chiba 2990265 Japan

Country of nationality: JAPAN

Country of residence: JAPAN

Relationship to the International Application: Applicant for US only and Inventor
for all designated states

Name: SHIBATA Tatsuya

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Sodegaura-shi, Chiba 2990265 Japan

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Nagaura, Sodegaura-shi, Chiba 2990265 Japan

Country of nationality: JAPAN

Country of residence: JAPAN

Relationship to the International Application: Applicant for US only and Inventor
for all designated states

Name: OKUBO Kazuhiko

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Sodegaura-shi, Chiba 2990265 Japan

New address: c/o MITSUI CHEMICALS POLYURETHANES, INC., 580-32,
Nagaura, Sodegaura-shi, Chiba 2990265 Japan

Country of nationality: JAPAN

Country of residence: JAPAN

4. Agent (Common Representative)

Name: (8199) SUZUKI Shunichiro Signature  (seal) 

Address: S.SUZUKI & ASSOCIATES, Gotanda Yamazaki Bldg.6F.,
13-6, Nishigotanda 7-chome, Shinagawa-ku, Tokyo 1410031 Japan